

# LEGISLATIVE UPDATE

County Recordors' Annual  
Conference  
April 2014

## SEA 36

- Amends IC 32-17-14-26
- Effective July 1, 2014
- Recording of affidavit on a transfer on death deed
  - No longer requires a certified copy of the death certificate
  - Affidavit must state date of death of the owner

## SEA 53

- Amends IC 36-9-23-25, IC 36-9-23-32, IC 36-9-23-33, IC 36-9-25-11
- Effective July 1, 2014
- Sewage liens
- When property occupied by someone other than the property owner
- An ordinance may be passed by the legislative body so that the fees assessed against the property do not constitute a lien against a property

## SEA 208

- Amends IC 5-14-3-4
- Effective upon passage
- Public records
- Added exception to some items on the unclaimed property report to the Attorney General that may be excluded
  - Date of birth
  - Driver's license number
  - Taxpayer identification number
  - Employer identification number or
  - Account number

## HEA 1178

- Amends IC 36-1-8.5-3
- Effective July 1, 2014
- Restricted addresses
- Added federal judges to the covered group that may submit a written request to restrict access to their address

## SEA 249

- Amends IC 6-1.1-36-17
- Effective July 1, 2014
- Homestead standard deduction
- If county auditor determines that property that had received this deduction was ineligible
  - May record a notice of an ineligible homestead lien in the recorder's office without charge
- Upon collection of the amount due or the release of the recorded lien
  - The auditor will submit the appropriate documentation to the county recorder who will amend the information recorded to indicate that the lien has been released or the amount has been paid in full again without charge

## SEA 422

- Adds IC 6-1.1-25-20
- Effective July 1, 2014
- Tax deed executed by auditor as result of tax sale
- The auditor will provide a copy of the tax deed to the grantee
- The auditor shall collect from the grantee the recording fee on behalf of the county recorder and submit the tax deed directly to the county recorder for recording
- The recorder records the tax deed in the deed records and provides the recorded tax deed to the grantee in the normal course of business

## HEA 1075

- Adds IC 5-10.5-4-2.5
- Effective upon passage
- INPRS cannot enter into an agreement with 3<sup>rd</sup> party before 1/1/17 to provide annuities for retiring members
- Adds IC 5-10.5-4-2.6
- Effective upon passage
- Interest rates used to determine annuity amount purchasable by a member who elects to receive as part of retirement an annuity
- After 9/30/14 and before 10/1/15 - 5.75%
- After 9/30/15 and before 1/1/17 – 4.5%

## HEA 1342

- Adds IC 13-14-2-6
- Effective July 1, 2014
- Restrictive covenants
- The commissioner of the department of environmental management may authorize the filing in the county recorder's office of a supplemental recording recognizing the modification of the covenant due to change in conditions or advancement in science or technology

## HEA1171

- Amends IC 36-2-7-10(d)
- Effective July 1, 2014
- The county recorder may use any money in this fund without appropriation for
  - Preservation of records and
  - The improvement of record keeping systems and equipment
- **WITHIN THE CONTROL OF THE COUNTY RECORDER**

## HEA 1171 Continued

- Added IC 36-2-7-10.2
- Effective July 1, 2014
- Recorder's records perpetuation may be used for expenses of the county recorder's office if:
  - For the following calendar year
  - The county recorder submits to fiscal body sworn statement
  - The fiscal body adopts an ordinance approving the recorder's request

## HEA 1171 Continued

- Sworn Statement
  - The current revenue to the fund is sufficient to fulfill the statutory purpose of the fund
  - The technology is presently updated and sufficient level to meet the statutory purposes of the fund and office
  - The fund has sufficient reserve consistent with the plan
  - Specifically requests that all or a specific portion of the fund be used to pay the expenses of the office for the following calendar year

## HEA 1171 Continued

- Fiscal body may adopt an ordinance approving the county recorder's request
- If the ordinance is adopted the fiscal body shall approve sufficient money from the fund
- The fiscal body may not approve any more money from the fund for any purpose in excess of that requested
- Valid for only the following calendar year and requirements must be met for each calendar year